

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

☐

DATE

May 06, 2020

MOTOR CARRIER MATTER

☐

DOCKET NO.

2019-331-E

UTILITIES MATTER

☒

ORDER NO.

SUBJECT:

DOCKET NO. 2019-331-E - Enrique McMilion, Jr., Complainant/Petitioner v. Duke Energy Carolinas, LLC, Defendant/Respondent - Staff presents for Commission Consideration Duke Energy Carolinas, LLC's Renewed Motion to Dismiss.

COMMISSION ACTION:

Move to deny McMilion's motion to recuse the Commissioners. McMilion has presented no evidence of personal bias to support recusal. Move to dismiss this complaint. By regulation, Duke Energy Carolinas chooses and furnishes its own meters. Duke has deployed smart meters throughout its service territory. In 2016, Duke presented and obtained approval for Rider MRM, under which a customer who wishes to opt out of a smart meter in favor of a manually read meter could do so at additional cost. Duke's requirement that its customers choose between permitting installation of a smart meter at no additional cost and installation of a manually read meter at additional cost does not violate the Complainant's legal rights. Additionally, since this is the third complaint by the same complainant against the same utility arising from the same transaction or occurrence, this complaint is barred by the doctrine of res judicata.

PRESIDING: RandallSESSION: RegularTIME: 2:00 p.m.

	MOTION	YES	NO	OTHER	
BELSER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		voting via videoconference
ERVIN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		voting via videoconference
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		voting via videoconference
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		voting via videoconference
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		voting via videoconference
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		voting via videoconference
WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Military Leave

(SEAL)

RECORDED BY: J. Schmieding

